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July 16, 1999

Dockets Management Branch (HFA-305)
Food and Drug Administration
5630 Fishers Lane
Room 1061
Rockville, MD 20852

RE: Docket Number 98N-1038, "Irradiation in the Production, Processing, and Handling of Food"

To Whom it May Concern:

I would like to express my opposition to any weakening of the current FDA labeling requirements for foods treated with ionizing radiation. I have been a health physicist for the past eight years. I specialize in dosimetry and environmental radioactivity. I have the following opinion about your proposed rulemaking:

- The requirement for a disclosure statement that includes either "radiation" or "irradiation" should NOT be changed.
- This labeling requirement should NOT be allowed to expire in the future.

In the absence of labeling that specifically mentions "radiation" or "irradiation", most consumers would not know that ionizing radiation was used to treat their food. The radura logo is a misleading icon that resembles the EPA logo and looks like some sort of Good Housekeeping Seal of Approval. In my experience with the general public, people do not know what the radura logo actually signifies – just as they don't know the difference between alpha particles and gamma photons. They have no reason to pay attention to the terminology or the logos of what they regard as a complicated field with an obscure name – health physics.

In a similar manner, the dilution of the labeling requirement language would also leave the public in the dark. Terms like "cold pasteurization" give absolutely no clue that something as powerful as a 10 kGy dose was ever used to sterilize their food. Pasteurization is a process of rapid heating and cooling – not a process of radiolysis. While irradiation and pasteurization both create chemical changes, they have extremely different effects. If a term like "cold pasteurization" were used, consumers would not be prepared for the changes in spoilage characteristics that accompany irradiated food. They would not be prepared for the reduction in nutrients. They would be deceived.

In its 1986 rule (51 FR 13376) and its 1988 response to objections (53 FR 53176), the FDA correctly identified the need for labeling to prevent consumer deception. In the eleven years since those rulings, nothing has changed the material fact (as identified by the FDA) that irradiation is a form of processing that produces significant changes in food. In the Joint Explanatory Statement of the Committee of Conference that accompanied the Food and Drug Administration Modernization Act of 1997 (FDAMA), it appears that the conferees hoped to put a benign face on food irradiation. However, despite this intent, the FDA still has a fundamental responsibility to

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inform the public about material facts. This responsibility can only be fulfilled through a labeling requirement that includes clear and direct words – "radiation" or "irradiation".

The general public has an instinctive fear of ionizing radiation. However, whether that fear is always justified is not the issue before the FDA. The issue is whether the FDA is willing to change its rules to facilitate public acceptance of a technology that has not been tested in the field. At the same time, the agency has a mandate to keep the public fully informed about its food. I submit that in a democratic society, full disclosure about products for sale is more important than the economic interests of a particular industry. Food irradiators are not entitled to any special treatment.

If widespread acceptance of food irradiation is being prevented by a public fear of all radiation, it is the responsibility of the irradiation industry – not the federal government – to persuade the American people. The FDA has no special mandate to promote the use of nuclear byproducts. And there are certainly no "national security" concerns for the agency to consider. With falling commodity prices and farmers going bankrupt, there is a surplus of food in the United States – not a scarcity.

There was a time when "national security" was used to force the American people to accept the presence of thousands of nuclear weapons in our country. The history of deceit, lies, and coverup throughout the DOE weapons complex explains a large part of the public mistrust of nuclear technology. Some of this same behavior was also evident in the aftermath of the accidents at the Chernobyl and Three Mile Island electric generating stations. Therefore, if the food irradiation industry wishes to gain public acceptance, it must start with honesty. If the industry wishes to truly divorce itself from the reputation of its cousins (nuclear weapons and nuclear power), it must act accordingly. Eliminating labeling requirements on irradiated food and hiding the process from the public is completely contrary to such a goal.

A lack of public disclosure about which foods have been irradiated will remind the public of the secrecy and deceit of the Cold War. Among other things, they will remember the official assurances about the safety of weapons testing for soldiers in the Nevada desert. They will remember the "Green Run" and official assurances about the safety of iodine releases from Hanford. They will particularly remember the recent revelations about decades of experimentation with ionizing radiation on human subjects. And the public mistrust of the food irradiation industry will only grow.

Secrecy will doom public acceptance of irradiation. The prime utility of secrecy is to jam irradiated food down people's throats. Is that what we really want? Is that how democracy is supposed to work?

Sincerely,

Mark Knapp

Mark Knapp

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